

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

JAMES DEAN EAKER,)	
)	
Plaintiff, pro se,)	ORDER
)	
v.)	1:07CV608
)	
OVERTURF, et al.,)	
)	
Defendants.)	

On May 22, 2008, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED that the motions of Defendants Pressley and Hall to set aside the entries of default against them (Docket Nos. 50 and 48) are **GRANTED**, and the motions of Plaintiff to enter default judgment against Defendants Pressley and Hall (Docket Nos. 37, 42, and 53) are **DENIED**.

This the day of July 25, 2008

/s/ N. Carlton Tilley, Jr.
United States District Judge